

# SENATE, No. 4152

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## STATE OF NEW JERSEY

### 219th LEGISLATURE

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INTRODUCED NOVEMBER 15, 2021

**Sponsored by:**

**Senator BOB SMITH**

**District 17 (Middlesex and Somerset)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Appropriates \$14,687,510 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT appropriating \$14,687,510 from constitutionally dedicated  
2 corporation business tax revenues to provide grants to assist  
3 qualifying tax exempt nonprofit organizations to acquire or  
4 develop lands for recreation and conservation purposes.

5  
6 BE IT ENACTED by the Senate and General Assembly of the State  
7 of New Jersey:

8  
9 1. a. There is appropriated to the Department of Environmental  
10 Protection the sum of \$14,687,510 from the dedicated corporation  
11 business tax revenues pursuant to Article VIII, Section II, paragraph  
12 6 of the State Constitution in the “Preserve New Jersey Green Acres  
13 Fund,” established pursuant to section 6 of the “Preserve New  
14 Jersey Act,” P.L.2016, c.12 (C.13:8C-48), for the purpose of  
15 providing grants to assist qualifying tax exempt nonprofit  
16 organizations to acquire lands for recreation and conservation  
17 purposes pursuant to subsection b. of this section, to develop lands  
18 for recreation and conservation purposes pursuant to subsection c.  
19 of this section, and to undertake stewardship activities pursuant to  
20 subsection d. of this section. Of the amount appropriated pursuant  
21 to this subsection, the sum of \$504,090 is available due to interest  
22 earnings on the dedicated corporation business tax revenues  
23 pursuant to Article VIII, Section II, paragraph 6 of the State  
24 Constitution.

25 b. The following projects for the acquisition of lands for  
26 recreation and conservation purposes are eligible for funding with  
27 the moneys appropriated pursuant to subsection a. of this section:

28

Nonprofit Organization	Project	County	Municipality	Approved Amount
(1) Bergen SWAN	Ramapo Mountain Conservation Area	Bergen	Mahwah Twp Oakland Boro	\$500,000
(2) D & R Greenway Land Trust	Greenway Acq	Burlington	Beverly City Bordentown City Bordentown Twp Burlington City Burlington Twp Chesterfield Twp Cinnaminson Twp Delanco Twp Delran Twp Edgewater Park Twp Fieldsboro Boro Florence Twp Hainesport Twp Mansfield Twp Maple Shade Twp Moorestown Twp Mount Holly Twp Mount Laurel Twp Palmyra Boro Riverside Twp Riverton Boro Springfield Twp	1,000,000

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			Westhampton Twp Willingboro Twp	
		Camden	Audubon Boro Audubon Park Boro Brooklawn Boro Camden City Cherry Hill Twp Collingswood Boro Gloucester City Haddon Heights Boro Haddon Twp Haddonfield Boro Merchantville Boro Mount Ephraim Boro Oaklyn Boro Pennsauken Twp Woodlynne Boro	
		Cumberland	Deerfield Twp Fairfield Twp Greenwich Twp Hopewell Twp Stow Creek Twp Upper Deerfield Twp	
		Gloucester	National Park Boro West Deptford Twp Westville Boro	
		Hunterdon	All municipalities	
		Mercer	All municipalities	
		Middlesex	All municipalities	
		Monmouth	All municipalities	
		Morris	All municipalities	
		Salem	Elsinboro Twp Lower Alloways Creek Twp Mannington Twp Pennsville Twp	
		Somerset	All municipalities	
(3) Friends of Hopewell Quarry, Inc.	Quarry Swim Club	Mercer	Hopewell Twp	91,450
(4) Friends of Hopewell Valley Open Space	Hopewell Valley Park Acq	Mercer	Hopewell Boro Hopewell Twp Lawrence Twp	500,000
(5) Friends of Princeton Open Space	Millstone River Watershed	Mercer	Princeton Boro	250,000
(6) Greater Culver Lake Watershed Conservation Foundation	Watershed Protection Program	Sussex	Frankford Twp	230,000
(7) Hunterdon Land Trust	Hunterdon Open Space Plan Priority Areas	Hunterdon	All municipalities	500,000
(8) Lamington	Central	Hunterdon	Readington Twp	500,000

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Conservancy	Lamington Project		Tewksbury Twp	
		Morris	Chester Twp Washington Twp	
		Somerset	Bedminster Twp Peapack-Gladstone Boro	
(9) Monmouth Conservation Foundation	Open Space Plans 2	Monmouth	All municipalities	500,000
(10) Natural Lands Trust, Inc.	Delaware Estuaries Acquisition	Cumberland	Commercial Twp Downe Twp Greenwich Twp Hopewell Twp Lawrence Twp Maurice River Twp Millville City Stow Creek Twp	100,000
		Salem	Alloway Twp Lower Alloways Creek Twp Quinton Twp	
(11) New Jersey Conservation Foundation	Priority Area Acq	Atlantic	Buena Vista Twp Egg Harbor City Egg Harbor Twp Estell Manor City Folsom Boro Galloway Twp Hamilton Twp Hammonton Town Mullica Twp Weymouth Twp	1,000,000
			Bass River Twp Beverly City Bordentown City Bordentown Twp Burlington City Burlington Twp Chesterfield Twp Cinnaminson Twp Delanco Twp Delran Twp Evesham Twp Fieldsboro Boro Florence Twp Mansfield Twp Medford Twp New Hanover Twp North Hanover Twp Pemberton Twp Shamong Twp Southampton Twp Springfield Twp Tabernacle Twp Washington Twp Woodland Twp	
			Camden City Merchantville Boro Pennsauken Twp	
			Lower Twp Middle Twp	
			Fairfield Twp Greenwich Twp Hopewell Twp	

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	Maurice River Twp Millville City Stow Creek Twp Upper Deerfield Twp Vineland City
Gloucester	Logan Twp South Harrison Twp Woolwich Twp
Hunterdon	All municipalities
Mercer	East Windsor Twp Ewing Twp Hamilton Twp Hightstown Boro Hopewell Twp Lawrence Twp Trenton City Princeton Boro Robbinsville Twp West Windsor Twp
Middlesex	Cranberry Twp Edison Twp
Monmouth	Allentown Boro Millstone Twp Upper Freehold Twp
Morris	All municipalities
Ocean	Lacey Twp Ocean Twp Plumsted Twp
Passaic	West Milford Twp
Salem	Alloway Twp Carneys Point Twp Elmer Boro Elsinboro Twp Lower Alloways Creek Twp Mannington Twp Oldmans Twp Pennsville Twp Pilesgrove Twp Pittsgrove Twp Quinton Twp Upper Pittsgrove Twp Woodstown Boro
Somerset	Bedminster Twp Bernards Twp Bernardsville Boro Branchburg Twp Bridgewater Twp Far Hills Boro Hillsborough Twp Montgomery Twp Peapack-Gladstone Boro Raritan Boro
Sussex	Andover Twp Byram Twp Frankford Twp Green Twp Hampton Twp Hopatcong Boro Sparta Twp Vernon Twp

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			Wantage Twp	
		Union	Elizabeth City Linden City Springfield Twp Union Twp	
		Warren	Blairstown Twp Franklin Twp Frelinghuysen Twp Greenwich Twp Hardwick Twp Harmony Twp Lopatcong Twp Mansfield Twp Pohatcong Twp Washington Twp White Twp	
(12) Rancocas Conservancy	Rancocas Watershed Acq	Burlington	All municipalities	495,000
(13) Raritan Headwaters Association	Raritan Headwaters Acq	Hunterdon	Alexandria Twp Bethlehem Twp Califon Boro Clinton Town Clinton Twp Delaware Twp East Amwell Twp Flemington Boro Franklin Twp Glen Gardener Boro Hampton Twp High Bridge Boro Lebanon Boro Lebanon Twp Raritan Twp Readington Twp Tewksbury Twp Union Twp West Amwell Twp	500,000
		Morris	Chester Boro Chester Twp Mine Hill Twp Mendham Boro Mendham Twp Mount Arlington Twp Mount Olive Twp Randolph Twp Roxbury Twp Washington Twp	
		Somerset	Bedminster Twp Bernards Twp Bernardsville Boro Branchburg Twp Bridgewater Twp Far Hills Boro Hillsborough Twp Peapack-Gladstone Boro Raritan Boro	
(14) Ridge and Valley Conservancy	Open Space Conservation Plan	Sussex	Andover Boro Andover Twp Frankford Twp Fredon Twp Green Twp Hampton Twp Hardyston Twp Lafayette Twp Sandyston Twp	500,000

			Stillwater Twp Wantage Twp	
		Warren	Allamuchy Twp Blairstown Twp Frelinghuysen Twp Hardwick Twp Hope Twp Knowlton Twp Mansfield Twp White Twp	
(15) Ridgeview Conservancy	Province Line Woods Acq	Mercer	Princeton Boro	250,000
(16) South Jersey Land and Water Trust	South Jersey Watersheds	Gloucester	All municipalities	394,410
		Salem	Carney's Point Twp Oldmans Twp Pilesgrove Twp	
(17) The Land Conservancy of New Jersey	Priority Areas Acq	Bergen	All municipalities	1,000,000
		Essex	All municipalities	
		Middlesex	All municipalities	
		Morris	All municipalities	
		Passaic	All municipalities	
		Somerset	All municipalities	
		Sussex	All municipalities	
		Union	All municipalities	
		Warren	All municipalities	
(18) The Watershed Institute	Watershed Connectors	Mercer	Hopewell Boro Hopewell Twp Pennington Boro Princeton Boro	500,000
TOTAL				\$8,810,860

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2 c. The following projects for the development of lands for  
3 recreation and conservation purposes are eligible for funding with  
4 the moneys appropriated pursuant to subsection a. of this section:  
5

Nonprofit Organization	Project	County	Municipality	Approved Amount
Branch Brook Park Alliance	Branch Brook Park Improvements 2021	Essex	Newark City	\$500,000
Brookdale Park Conservancy	Brookdale Park Improvements 2021	Essex	Bloomfield Twp Montclair Twp	500,000
Congregation Ahavas Sholom	Lincoln Elementary Schoolyard Improvements	Essex	Orange City Twp	250,000

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Essex County Parks Foundation	Amazing Asia Exhibit – Turtle Back Zoo	Essex	West Orange Twp	500,000
Flat Rock Brook Nature Association	Jones Road Area Restoration	Bergen	Englewood City	500,000
Friends of Passaic County Parks, Inc.	Rifle Camp Park Amphitheater	Passaic	Woodlawn Park Borough	500,000
Hamilton Partnership for Paterson	Alexander Hamilton Visitor Center Landscaping	Passaic	Paterson City	225,000
South Mountain Conservancy	South Mountain Reservation Improvements 2021	Essex	Millburn Twp	500,000
SPARK Friends, Inc.	Independence Park Improvements 2021	Essex	Newark City	500,000
Trust for Public Land	Multi Park Improvements	Essex	Newark City	500,000
Zoological Society of NJ	Amazing Asia Exhibit – Turtle Back Zoo	Essex	West Orange Twp	500,000
TOTAL				\$4,975,000

1  
2 d. The following stewardship activity projects are eligible for  
3 funding with the moneys appropriated pursuant to subsection a. of  
4 this section:  
5

Nonprofit Organization	Project	County	Municipality	Approved Amount
African American Fund of NJ	Ambrose Ward Mansion Grounds Renovation	Essex	East Orange Twp	\$273,750
D&R Greenway Land Trust	Multi-Park Stewardship	Burlington	Bordentown City	172,900
		Hunterdon	East Amwell Twp	
		Mercer	Hopewell Twp	
Flat Rock Brook Nature Association	Boardwalk Trail Restoration	Bergen	Englewood City	25,000
Friends of Passaic County Parks, Inc.	Lambert Tower Historic Landscape	Passaic	Paterson City	290,000
Harding Land Trust	Gatehouse and Primrose Phase 2	Morris	Harding Twp	80,000
The Land	Nancy Conger	Passaic	West Milford Twp	60,000



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Conservancy of      West Brook  
New Jersey          Riparian  
Restoration

**TOTAL**

**\$901,650**

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2        e. Any transfer of any funds, or change in project sponsor, site,  
3 or type, listed in subsection b., c., or d. of this section shall require  
4 the approval of the Joint Budget Oversight Committee or its  
5 successor.

6        f. To the extent that moneys remain available after the projects  
7 listed in subsection b., c., or d. of this section are offered funding  
8 pursuant thereto, any project of a qualifying tax exempt nonprofit  
9 organization that previously received funding appropriated or  
10 reappropriated from any Green Acres bond act, any annual  
11 appropriations act, or the Garden State Green Acres Preservation  
12 Trust Fund for recreation and conservation purposes shall be  
13 eligible to receive additional funding, as determined by the  
14 Department of Environmental Protection, subject to the approval of  
15 the Joint Budget Oversight Committee or its successor.

16        g. There is reappropriated to the Department of Environmental  
17 Protection the unexpended balances, due to project withdrawals,  
18 cancellations, or cost savings, of the amounts appropriated or  
19 reappropriated from any Green Acres bond act, any annual  
20 appropriations act, or the Garden State Green Acres Preservation  
21 Trust Fund to assist qualifying tax exempt nonprofit organizations  
22 to acquire or develop lands for recreation and conservation  
23 purposes, for the purposes of: (1) this section; and (2) providing  
24 additional funding, as determined by the Department of  
25 Environmental Protection, to any project of a qualifying tax exempt  
26 nonprofit organization that previously received funding  
27 appropriated or reappropriated from any Green Acres bond act, any  
28 annual appropriations act, or the Garden State Green Acres  
29 Preservation Trust Fund for recreation and conservation purposes,  
30 subject to the approval of the Joint Budget Oversight Committee or  
31 its successor. Any such additional funding provided from a Green  
32 Acres bond act may include administrative costs.

33        h. For the purposes of this section:

34        “Garden State Green Acres Preservation Trust Fund” means the  
35 fund established pursuant to section 19 of P.L.1999, c.152  
36 (C.13:8C-19).

37        “Green Acres bond act” means P.L.2009, c.117, P.L.2007, c.119,  
38 P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265,  
39 and P.L.1983, c.354.

40        “Preserve New Jersey Green Acres Fund” means the fund  
41 established pursuant to section 6 of the “Preserve New Jersey Act,”  
42 P.L.2016, c.12 (C.13:8C-48).

43        “Stewardship activity” means the same as the term is defined in  
44 section 3 of the “Preserve New Jersey Act,” P.L.2016, c.12  
45 (C.13:8C-45).

2. There is appropriated from the General Fund to the “Preserve New Jersey Green Acres Fund,” established pursuant to section 6 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-48), the sum of \$14,687,510 to implement the provisions of section 1 of this act.

3. This act shall take effect immediately.

## STATEMENT

The bill appropriates \$14,687,510 to the Department of Environmental Protection (DEP) to provide grants to various nonprofit entities to acquire or develop lands for recreation and conservation purposes.

The funding in this bill is provided from constitutionally dedicated corporation business tax (CBT) revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014. The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.) implements the constitutional dedication of CBT revenues for open space, farmland, and historic preservation. The “Preserve New Jersey Green Acres Fund” was established by section 6 of the “Preserve New Jersey Act.” The act provides that a certain amount of the portion of dedicated CBT revenues allocated each year for the Green Acres program is to be used for: the acquisition of lands for open space, including Blue Acres projects, and development projects on State lands administered by the DEP’s Division of Fish and Wildlife and Division of Parks and Forestry; grants and loans to fund local government open space acquisition and development projects; and grants to nonprofit entities to acquire or develop lands for recreation and conservation purposes. This bill appropriates funds to be used to provide grants to nonprofit entities to acquire or develop lands for recreation and conservation purposes. Further, of the funding allocated for acquisition and development projects by nonprofit entities, a certain percentage is to be used to fund stewardship activities undertaken by nonprofit entities. A “stewardship activity” is defined in the “Preserve New Jersey Act” as an activity, which is beyond routine operations and maintenance, undertaken to repair or restore lands acquired or developed for recreation and conservation purposes for the purpose of enhancing or protecting those lands for recreation and conservation purposes.

Of the amount appropriated by the bill to provide grants to various nonprofit entities: \$8,810,860 is allocated for acquisition projects; \$4.975 million is allocated for park development projects; and \$901,650 is allocated for stewardship activity projects.

The projects listed in this bill have been approved by the DEP and the Garden State Preservation Trust.

1       The bill also would allow the DEP to re-distribute certain other  
2       moneys, which have been returned to the department due to project  
3       withdrawals, cancellations, or cost savings, for the purpose of  
4       providing additional funding, for recreation and conservation  
5       purposes, to previously approved and funded projects of nonprofit  
6       entities, subject to the approval of the Joint Budget Oversight  
7       Committee. This additional funding, if provided from a Green  
8       Acres bond act, may include administrative costs.